

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE:

Kathleen Marie Anderson

Case No. 24-10924-amc
Chapter 13

Rocket Mortgage, LLC f/k/a Quicken Loans, LLC,
Movant

vs.

Kathleen Marie Anderson ,
Debtor

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Rocket Mortgage, LLC f/k/a Quicken Loans, LLC ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 10), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on March 20, 2024.
2. Movant holds a security interest in the Debtor's real property located at 6654 Edmund St, Philadelphia, PA 19135 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on March 22, 2024 (Doc 10).
4. The Plan lists Movant under Part 4(A).
5. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is \$608.29, whereas the Plan proposes to pay only \$0.00.

6. Movant objects to Debtor's proposed Chapter 13 Plan as Part 4(a) that Movant will not receive any distribution from the Chapter 13 Trustee on its proof of claim.

7. Therefore, the Movant objects to Debtor's proposed Chapter 13 Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

8. Movant objects to the confirmation of the Debtor's proposed Chapter 13 when no funds are being tendered to Movant. The debtor is bypassing a secured creditor and paying the unsecured claims. Movant objects to this distribution schedule unless its arrears are cured via a loan modification. If a loan modification is not received/obtained before confirmation then any money paid to the Chapter 13 Trustee must be paid to Movant before any unsecured creditors are paid

9. Movant objects to any plan which proposes to pay it anything less than \$608.29 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

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Matthew Fissel, PA Bar No. 314567

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

MICHAEL A. CIBIK, Debtor's Attorney
1500 Walnut Street
Suite 900
Philadelphia, PA 19102
help@cibiklaw.com

SCOTT F WATERMAN [Chapter 13], Bankruptcy Trustee
2901 St. Lawrence Ave.
Suite 100
Reading, PA 19606

Office of United States Trustee, US Trustee
Robert N.C. Nix Federal Building
900 Market Street, Suite 320
Philadelphia, PA 19107

Via First Class Mail:

Kathleen Marie Anderson
6654 Edmund Street
Philadelphia, PA 19135

Date: April 9, 2024

/s/Andrew Spivack
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